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PATENT

ATTORNEY DOCKET NO.: 041465-5135

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. Patent Application of:)	
)	
Yoshitsugu ARAKI et al.)	Confirmation No.: 6134
)	
Application No.: 10/068,024)	Group Art Unit: 2655
)	
Date Filed: February 8, 2002)	Examiner: Hindi, Nabil Z
)	
For: INFORMATION RECORDING)	
APPARATUS)	

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. § 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. This Information Disclosure Statement ("IDS") is being filed after the events recited in 37 C.F.R. § 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final Office Action, a Notice of Allowance, or any action that otherwise closes prosecution in the application. Accordingly, this Information Disclosure Statement is being filed under the provisions of 37 C.F.R. § 1.97(c), and is accompanied by the statement specified in 37 C.F.R. § 1.97(e). Thus, no fee is due for the filing of this Information Disclosure Statement.

Applicants respectively submit that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of

this Information Disclosure Statement. Specifically, the listed documents were first cited in a search report issued by the European Patent Office ("EPO") on December 7, 2004 in a counterpart European patent application. A copy of the December 7, 2004 EPO search report is attached for the Examiner's consideration.

The following documents are in a language other than English. 1) JP 2000-285469 and 2) JP 2001-023170. The relevance of these documents can be understood from the attached English-language Abstracts, the drawings and their citations in the attached EPO search report.

While the attached EPO search report dated December 7, 2004 cites to additional references, they are not included herewith because they were previously filed in an Information Disclosure Statement in this application on September 27, 2004.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached PTO Form 1449. Copies of the documents are enclosed.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "Prior Art."

If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of any such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of the documents be applied against the claims of the present application.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: January 3, 2005

By:



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INFORMATION DISCLOSURE CITATION

 Attorney Docket No.
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Application No.: 10/068,024

Applicants: Yoshitsugu ARAKI et al.

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Filing Date: February 8, 2002

Group Art Unit: 6134

 (Use several sheets if necessary)
PTO Form 1449

U.S. PATENT DOCUMENTS

*Examiner Initial	Document Number	Date	Name	Class	Sub Class	Filing Date
	5,414,451	May 9, 1995	Sugiyama et al.	347	258	Oct. 8, 1992

FOREIGN PATENT DOCUMENTS

Document Number	Date	Country	Class	Sub Class	<u>Translation</u> YES NO	
JP 2001-023170	Jan. 26, 2001	Japan (with English- language Abstract)				X
JP 2000-285469	Oct. 13, 2000	Japan (with English- language Abstract)				X
WO 00/28532	May 18, 2000	WIPO				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.